

REMARKS/ARGUMENTS

Claims 1-14 and 19 are active. Claims 15-18 have been withdrawn from consideration. No amendments have been made.

Interview Summary Record

The Applicants thank Examiner Belyaev for confirming on July 29, 2010 that the certified English translation of the priority document had been received. It was noted that this certified English translation had been misidentified in PAIR. The Examiner requested that the Applicants file a written response to the outstanding rejection and point out that their priority document removes Jeanvoine as prior art.

Restriction/Election

The Applicants previously elected with traverse **Group I**, claims 1-14, directed to a process for manufacturing a lead-rich flat glass. The requirement has been made FINAL. The Applicants understand that additional species will be rejoined and examined upon an indication of allowability for a generic claim reading on the elected species. The Applicants respectfully request that the claims of the nonelected group(s) or other withdrawn subject matter which depend from or otherwise include all the limitations of an allowed elected claim, be rejoined upon an indication of allowability for the elected claim, see MPEP 821.04.

Rejections based on Jeanvoine, FRANCE 0302373 (corresponding to U.S. 2004/0224833)

All of the rejections were based on Jeanvoine, FRANCE 0302373, which was published on August 27, 2004 after the February 16, 2004 foreign priority date of the present application. Jeanvoine is not prior art. The Applicants' foreign priority claim has been perfected by the submission of a certified English translation of their priority document. The

certified English translation of the Applicants' priority document also antedates the filing date of PCT/FR04/00420 the parent application of U.S. 10/829,955 which was published as U.S. 2004/0224833.

Support for Claims in English Translation of FRANCE 041099 (the priority document)

Claims 1-14 respectively find support in claims 1-14 of the English translation of the priority document. Claim 19 finds support at the top of page 2, lines 29-30 of the English translation.

Rejection—35 U.S.C. §103(a)

Claims 1, 3, 6-8, and 11-14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Jeanvoine, FRANCE 0302373 (U.S. 2004/0224833 used as translation), in view of Brichard, et al., U.S. Patent No. 3,801,412. Jeanvoine is not prior art in view of the perfection of the Applicants' claim for foreign priority. Therefore, this rejection cannot be sustained.

Rejection—35 U.S.C. §103(a)

Claim 2 was rejected under 35 U.S.C. §103(a) as being unpatentable over Jeanvoine, FRANCE 0302373 (U.S. 2004/0224833 used as translation), in view of Basler, U.S. Patent No. 3,332,763 as applied to claims 1, 3, 6-8, and 11-14; and further in view of Cramer, U.S. Patent No. 3,881,905. Jeanvoine is not prior art in view of the perfection of the Applicants' claim for foreign priority. Therefore, this rejection cannot be sustained.

Rejection—35 U.S.C. §103(a)

Claim 4 was rejected under 35 U.S.C. §103(a) as being unpatentable over Jeanvoine, FRANCE 0302373 (U.S. 2004/0224833 used as translation), in view of Basler, U.S. Patent No. 3,332,763 as applied to claims 1, 3, 6-8, and 11-14; and further in view of Hiromatsu, U.S. 2005/0028559 and Gardner, U.S. Patent No. 5,120,579. Jeanvoine is not prior art in view of the perfection of the Applicants' claim for foreign priority. Therefore, this rejection cannot be sustained.

Rejection—35 U.S.C. §103(a)

Claim 5 was rejected under 35 U.S.C. §103(a) as being unpatentable over Jeanvoine, FRANCE 0302373 (U.S. 2004/0224833 used as translation), in view of Basler, U.S. Patent No. 3,332,763 as applied to claims 1, 3, 6-8, and 11-14; and further in view of Siebers, U.S. Patent No. 6,846,760. Jeanvoine is not prior art in view of the perfection of the Applicants' claim for foreign priority. Therefore, this rejection cannot be sustained.

Rejection—35 U.S.C. §103(a)

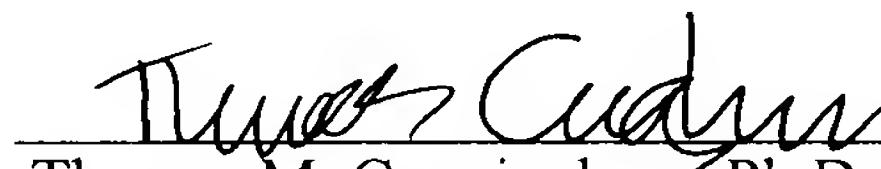
Claims 9 and 10 were rejected under 35 U.S.C. §103(a) as being unpatentable over Jeanvoine, FRANCE 0302373 (U.S. 2004/0224833 used as translation), in view of Basler, U.S. Patent No. 3,332,763 as applied to claims 1, 3, 6-8, and 11-14; and further in view of Speit, U.S. Patent No. 5,073,524. Jeanvoine is not prior art in view of the perfection of the Applicants' claim for foreign priority. Therefore, this rejection cannot be sustained.

Conclusion

This application presents allowable subject matter and the Examiner is respectfully requested to pass it to issue. The Examiner is kindly invited to contact the undersigned should a further discussion of the issues or claims be helpful.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, L.L.P.
Norman F. Oblon



Thomas M. Cunningham, Ph.D.
Registration No. 45,394

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 07/09)